HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (c) No. 1497 of 2007

Petitioner : Smt. Lata Mahilange
W/o Shri Satish Mahilange, 22 yrs.
R/o Vill. Risada, Teh.Masturi,
District Bilaspur (C.G.).

Versus

Respondents :1. State of Chhattisgarh
through the Secretary,
Panchayat and Social Welfare
Department, D.K.S. Bhawan, Mantralaya
Raipur (C.G.)

2. The Director,
Panchayat & Social Welfare
Raipur

3. Surya Kumar Khande
S/o Shri Kashi Ram Khande
R/o Vill. Risada The. Masturi
Distt. Bilaspur (C.G.)

SB : Hon'ble Shri Satish K. Agnihotri, J.

Present: Mr. Prafull Bharat, counsel for the petitioner.

ORDER

(Passed on this 14th day of March, 2007)

1. By this petition, filed under Article 227 of the Constitution of India, the petitioner challenges the validity of the order dated 13.2.2007 (P/4) passed by the Director Panchayat & Social Welfare, Raipur, whereunder the appeal No. 8/A-89 (3)/05-06 of the respondent No. 3 herein, was restored to the file, which has been dismissed earlier for want of prosecution.

2. Learned counsel appearing for the petitioner submits that the respondent No. 3 has not shown sufficient cause for restoration of the

appeal in his application at Annexure P/3. Thus, the said application ought to have been rejected.

3. The trial court has found that sufficient cause has been shown, while restoring the appeal, which was dismissed for want of prosecution. There is no infirmity, illegality or jurisdictional error to warrant interference with the order passed by the court below. Thus, this petition is dismissed.

5. Consequently, M.(W.)P. No. 966/2007 stands disposed of.

Sd/-
Satish K. Agnihotri
Judge

Bablu